

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
v.) CRIMINAL NO:
JOSHUA GOLDSMITH)
Defendant)

UNITED STATES' MOTION FOR LEAVE TO FILE
ITS OPPOSITION TO MOTION TO SUPPRESS OUT OF TIME

The United States of America, by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, respectfully moves the Court for leave to file its opposition to the motion to suppress filed by the defendant, Joshua Goldsmith, out of time.

As grounds therefore, the government represents to the Court that undersigned counsel, who is solely responsible for prosecuting this matter, had been on trial from May 2, 2005 through and including May 20, 2005 in the case United States v. Carmen Fiqueroa, Criminal No. 04-10098-WGY. Because of the demands of trial, the undersigned was unable to prepare a full and complete response to the issues raised by Defendant Goldsmith in the motion by the time the government's opposition was due. Since May 20, 2005, the undersigned has been working diligently on the opposition, but was unable to complete it until this time.

Accordingly, the government requests that its motion be granted.

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Susan M. Poswistilo
Susan M. Poswistilo
Assistant U.S. Attorney